

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding
5 Sections 5.675 and 6z-69 as follows:

6 (30 ILCS 105/5.675 new)

7 Sec. 5.675. The Safe Student Driver Initiative Fund.

8 (30 ILCS 105/6z-69 new)

9 Sec. 6z-69. The Safe Student Driver Initiative Fund. The
10 Safe Student Driver Initiative Fund is created as a special
11 fund in the State treasury. The Secretary of State shall,
12 subject to appropriation, use all moneys in the Safe Student
13 Driver Initiative Fund to cover all costs associated with the
14 manufacture, distribution, and administration of Student
15 Driver signs and any other costs associated with the Graduated
16 Licensing Program.

17 Section 10. The Illinois Vehicle Code is amended by
18 changing Sections 6-107, 6-107.1, and 6-118 as follows:

19 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

20 Sec. 6-107. Graduated license.

1 (a) The purpose of the Graduated Licensing Program is to
2 develop safe and mature driving habits in young, inexperienced
3 drivers and reduce or prevent motor vehicle accidents,
4 fatalities, and injuries by:

5 (1) providing for an increase in the time of practice
6 period before granting permission to obtain a driver's
7 license;

8 (2) strengthening driver licensing and testing
9 standards for persons under the age of 21 years;

10 (3) sanctioning driving privileges of drivers under
11 age 21 who have committed serious traffic violations or
12 other specified offenses; and

13 (4) setting stricter standards to promote the public's
14 health and safety.

15 (b) The application of any person under the age of 18
16 years, and not legally emancipated by marriage, for a drivers
17 license or permit to operate a motor vehicle issued under the
18 laws of this State, shall be accompanied by the written consent
19 of either parent of the applicant; otherwise by the guardian
20 having custody of the applicant, or in the event there is no
21 parent or guardian, then by another responsible adult. The
22 written consent must accompany any application for a driver's
23 license under this subsection (b), regardless of whether or not
24 the required written consent also accompanied the person's
25 previous application for an instruction permit.

26 No graduated driver's license shall be issued to any

1 applicant under 18 years of age, unless the applicant is at
2 least 16 years of age and has:

3 (1) Held a valid instruction permit for a minimum of 3
4 months.

5 (2) Passed an approved driver education course and
6 submits proof of having passed the course as may be
7 required.

8 (3) Certification by the parent, legal guardian, or
9 responsible adult that the applicant has had a minimum of
10 50 hours of behind-the-wheel practice time, at least 10
11 hours of which have been at night, and is sufficiently
12 prepared and able to safely operate a motor vehicle.

13 (b-1) No graduated driver's license shall be issued to any
14 applicant who is under 18 years of age and not legally
15 emancipated by marriage, unless the applicant has graduated
16 from a secondary school of this State or any other state, is
17 enrolled in a course leading to a general educational
18 development (GED) certificate, has obtained a GED certificate,
19 is enrolled in an elementary or secondary school or college or
20 university of this State or any other state and is not a
21 chronic or habitual truant as provided in Section 26-2a of the
22 School Code, or is receiving home instruction and submits proof
23 of meeting any of those requirements at the time of
24 application.

25 An applicant under 18 years of age who provides proof
26 acceptable to the Secretary that the applicant has resumed

1 regular school attendance or home instruction or that his or
2 her application was denied in error shall be eligible to
3 receive a graduated license if other requirements are met. The
4 Secretary shall adopt rules for implementing this subsection
5 (b-1).

6 (c) No graduated driver's license or permit shall be issued
7 to any applicant under 18 years of age who has committed the
8 offense of operating a motor vehicle without a valid license or
9 permit in violation of Section 6-101 of this Code and no
10 graduated driver's license or permit shall be issued to any
11 applicant under 18 years of age who has committed an offense
12 that would otherwise result in a mandatory revocation of a
13 license or permit as provided in Section 6-205 of this Code or
14 who has been either convicted of or adjudicated a delinquent
15 based upon a violation of the Cannabis Control Act, the
16 Illinois Controlled Substances Act, or the Methamphetamine
17 Control and Community Protection Act while that individual was
18 in actual physical control of a motor vehicle. For purposes of
19 this Section, any person placed on probation under Section 10
20 of the Cannabis Control Act, Section 410 of the Illinois
21 Controlled Substances Act, or Section 70 of the Methamphetamine
22 Control and Community Protection Act shall not be considered
23 convicted. Any person found guilty of this offense, while in
24 actual physical control of a motor vehicle, shall have an entry
25 made in the court record by the judge that this offense did
26 occur while the person was in actual physical control of a

1 motor vehicle and order the clerk of the court to report the
2 violation to the Secretary of State as such.

3 (d) No graduated driver's license shall be issued for 6
4 months to any applicant under the age of 18 years who has been
5 convicted of any offense defined as a serious traffic violation
6 in this Code or a similar provision of a local ordinance.

7 (e) No graduated driver's license holder under the age of
8 18 years shall operate any motor vehicle, except a motor driven
9 cycle or motorcycle, with more than one passenger in the front
10 seat of the motor vehicle and no more passengers in the back
11 seats than the number of available seat safety belts as set
12 forth in Section 12-603 of this Code.

13 (f) No graduated driver's license holder under the age of
14 18 shall operate a motor vehicle unless each driver and
15 passenger under the age of 19 is wearing a properly adjusted
16 and fastened seat safety belt and each child under the age of 8
17 is protected as required under the Child Passenger Protection
18 Act.

19 (g) If a graduated driver's license holder is under the age
20 of 18 when he or she receives the license, for the first 6
21 months he or she holds the license or until he or she reaches
22 the age of 18, whichever occurs sooner, the graduated license
23 holder may not operate a motor vehicle with more than one
24 passenger in the vehicle who is under the age of 20, unless any
25 additional passenger or passengers are siblings,
26 step-siblings, children, or stepchildren of the driver.

1 (h) A person holding a graduated driver's license under
2 this Section must display on any vehicle he or she is driving a
3 sign or signs, approved by the Secretary of State, indicating
4 that the vehicle is being driven by a new driver.

5 The Secretary shall adopt rules for implementing this
6 subsection (h). The rules shall address, among other issues,
7 the issue of whether a fee shall be charged for obtaining the
8 sign or signs and the amount of the fee, if any.

9 (Source: P.A. 93-101, eff. 1-1-04; 93-788, eff. 1-1-05; 94-239,
10 eff. 1-1-06; 94-241, eff. 1-1-06; 94-556, eff. 9-11-05; 94-897,
11 eff. 6-22-06; 94-916, eff. 7-1-07; revised 8-3-06.)

12 (625 ILCS 5/6-107.1)

13 Sec. 6-107.1. Instruction permit for a minor.

14 (a) The Secretary of State, upon receiving proper
15 application and payment of the required fee, may issue an
16 instruction permit to any person under the age of 18 years who
17 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,
18 or 8 of Section 6-103, after the applicant has successfully
19 passed such examination as the Secretary of State in his
20 discretion may prescribe.

21 (1) An instruction permit issued under this Section
22 shall be valid for a period of 24 months after the date of
23 its issuance and shall be restricted, by the Secretary of
24 State, to the operation of a motor vehicle by the minor
25 only when accompanied by the adult instructor of a driver

1 education program during enrollment in the program or when
2 practicing with a parent, legal guardian, family member, or
3 a person in loco parentis who is 21 years of age or more,
4 has a license classification to operate such vehicle and at
5 least one year of driving experience, and who is occupying
6 a seat beside the driver.

7 (2) A 24 month instruction permit for a motor driven
8 cycle may be issued to a person 16 or 17 years of age and
9 entitles the holder to drive upon the highways during
10 daylight under direct supervision of a licensed motor
11 driven cycle operator or motorcycle operator 21 years of
12 age or older who has a license classification to operate
13 such motor driven cycle or motorcycle and at least one year
14 of driving experience.

15 (3) A 24 month instruction permit for a motorcycle
16 other than a motor driven cycle may be issued to a person
17 16 or 17 years of age in accordance with the provisions of
18 paragraph 2 of Section 6-103 and entitles a holder to drive
19 upon the highways during daylight under the direct
20 supervision of a licensed motorcycle operator 21 years of
21 age or older who has at least one year of driving
22 experience.

23 (b) An instruction permit issued under this Section when
24 issued to a person under the age of 17 years shall, as a matter
25 of law, be invalid for the operation of any motor vehicle
26 during the same time the child is prohibited from being on any

1 street or highway under the provisions of the Child Curfew Act.

2 (b-1) No instruction permit shall be issued to any
3 applicant who is under the age of 18 years and who has been
4 certified to be a chronic or habitual truant, as defined in
5 Section 26-2a of the School Code.

6 An applicant under the age of 18 years who provides proof
7 that he or she has resumed regular school attendance or that
8 his or her application was denied in error shall be eligible to
9 receive an instruction permit if other requirements are met.
10 The Secretary shall adopt rules for implementing this
11 subsection (b-1).

12 (c) Any person under the age of 16 years who possesses an
13 instruction permit and whose driving privileges have been
14 suspended or revoked under the provisions of this Code shall
15 not be granted a Family Financial Responsibility Driving Permit
16 or a Restricted Driving Permit.

17 (d) A person holding an instruction permit under this
18 Section must display on any vehicle he or she is driving a sign
19 or signs, approved by the Secretary of State, indicating that
20 the vehicle is being driven by a new driver.

21 The Secretary shall adopt rules for implementing this
22 subsection (d). The rules shall address, among other issues,
23 the issue of whether a fee shall be charged for obtaining the
24 sign or signs and the amount of the fee, if any.

25 (Source: P.A. 94-916, eff. 7-1-07.)

1 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

2 Sec. 6-118. Fees.

3 (a) The fee for licenses and permits under this Article is
4 as follows:

5 Original driver's license \$10

6 Original or renewal driver's license

7 issued to 18, 19 and 20 year olds 5

8 All driver's licenses for persons

9 age 69 through age 80 5

10 All driver's licenses for persons

11 age 81 through age 86 2

12 All driver's licenses for persons

13 age 87 or older 0

14 Renewal driver's license (except for

15 applicants ages 18, 19 and 20 or

16 age 69 and older) 10

17 Original instruction permit issued to

18 persons under the age of 18

19 who do not hold or have not previously

20 held an Illinois instruction permit or

21 driver's license 22

22 Original instruction permit issued to

23 persons age 18 or older (except those age 69 and older)

24 who do not hold or have not previously

25 held an Illinois instruction permit or

26 driver's license 20

1 Instruction permit issued to any person
2 holding an Illinois driver's license
3 who wishes a change in classifications,
4 other than at the time of renewal 5
5 Any instruction permit issued to a person
6 age 69 and older 5
7 Instruction permit issued to any person,
8 under age 69, not currently holding a
9 valid Illinois driver's license or
10 instruction permit but who has
11 previously been issued either document
12 in Illinois 10
13 Restricted driving permit 8
14 Duplicate or corrected driver's license
15 or permit 5
16 Duplicate or corrected restricted
17 driving permit 5
18 Original or renewal M or L endorsement 5

19 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

20 The fees for commercial driver licenses and permits
21 under Article V shall be as follows:

22 Commercial driver's license:

- 23 \$6 for the CDLIS/AAMVAnet Fund
- 24 (Commercial Driver's License Information
- 25 System/American Association of Motor Vehicle
- 26 Administrators network Trust Fund);

1 \$20 for the Motor Carrier Safety Inspection Fund;
 2 \$10 for the driver's license;
 3 and \$24 for the CDL: \$60

4 Renewal commercial driver's license:

5 \$6 for the CDLIS/AAMVAnet Trust Fund;
 6 \$20 for the Motor Carrier Safety Inspection Fund;
 7 \$10 for the driver's license; and
 8 \$24 for the CDL: \$60

9 Commercial driver instruction permit

10 issued to any person holding a valid
 11 Illinois driver's license for the
 12 purpose of changing to a
 13 CDL classification: \$6 for the
 14 CDLIS/AAMVAnet Trust Fund;
 15 \$20 for the Motor Carrier
 16 Safety Inspection Fund; and
 17 \$24 for the CDL classification \$50

18 Commercial driver instruction permit

19 issued to any person holding a valid
 20 Illinois CDL for the purpose of
 21 making a change in a classification,
 22 endorsement or restriction \$5

23 CDL duplicate or corrected license \$5

24 In order to ensure the proper implementation of the Uniform
 25 Commercial Driver License Act, Article V of this Chapter, the
 26 Secretary of State is empowered to pro-rate the \$24 fee for the

1 commercial driver's license proportionate to the expiration
2 date of the applicant's Illinois driver's license.

3 The fee for any duplicate license or permit shall be waived
4 for any person age 60 or older who presents the Secretary of
5 State's office with a police report showing that his license or
6 permit was stolen.

7 No additional fee shall be charged for a driver's license,
8 or for a commercial driver's license, when issued to the holder
9 of an instruction permit for the same classification or type of
10 license who becomes eligible for such license.

11 (b) Any person whose license or privilege to operate a
12 motor vehicle in this State has been suspended or revoked under
13 Section 3-707, any provision of Chapter 6, Chapter 11, or
14 Section 7-205, 7-303, or 7-702 of the Family Financial
15 Responsibility Law of this Code, shall in addition to any other
16 fees required by this Code, pay a reinstatement fee as follows:

17	Suspension under Section 3-707	\$100
18	Summary suspension under Section 11-501.1	\$250
19	Other suspension	\$70
20	Revocation	\$500

21 However, any person whose license or privilege to operate a
22 motor vehicle in this State has been suspended or revoked for a
23 second or subsequent time for a violation of Section 11-501 or
24 11-501.1 of this Code or a similar provision of a local
25 ordinance or a similar out-of-state offense or Section 9-3 of
26 the Criminal Code of 1961 and each suspension or revocation was

1 for a violation of Section 11-501 or 11-501.1 of this Code or a
2 similar provision of a local ordinance or a similar
3 out-of-state offense or Section 9-3 of the Criminal Code of
4 1961 shall pay, in addition to any other fees required by this
5 Code, a reinstatement fee as follows:

6 Summary suspension under Section 11-501.1 \$500
7 Revocation \$500

8 (c) All fees collected under the provisions of this Chapter
9 6 shall be paid into the Road Fund in the State Treasury except
10 as follows:

11 1. The following amounts shall be paid into the Driver
12 Education Fund:

13 (A) \$16 of the \$20 or \$22 fee for an original
14 driver's instruction permit;

15 (B) \$5 of the \$10 fee for an original driver's
16 license;

17 (C) \$5 of the \$10 fee for a 4 year renewal driver's
18 license; and

19 (D) \$4 of the \$8 fee for a restricted driving
20 permit.

21 2. \$30 of the \$250 fee for reinstatement of a license
22 summarily suspended under Section 11-501.1 shall be
23 deposited into the Drunk and Drugged Driving Prevention
24 Fund. However, for a person whose license or privilege to
25 operate a motor vehicle in this State has been suspended or
26 revoked for a second or subsequent time for a violation of

1 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
2 the Criminal Code of 1961, \$190 of the \$500 fee for
3 reinstatement of a license summarily suspended under
4 Section 11-501.1, and \$190 of the \$500 fee for
5 reinstatement of a revoked license shall be deposited into
6 the Drunk and Drugged Driving Prevention Fund.

7 3. \$6 of such original or renewal fee for a commercial
8 driver's license and \$6 of the commercial driver
9 instruction permit fee when such permit is issued to any
10 person holding a valid Illinois driver's license, shall be
11 paid into the CDLIS/AAMVAnet Trust Fund.

12 4. \$30 of the \$70 fee for reinstatement of a license
13 suspended under the Family Financial Responsibility Law
14 shall be paid into the Family Responsibility Fund.

15 5. The \$5 fee for each original or renewal M or L
16 endorsement shall be deposited into the Cycle Rider Safety
17 Training Fund.

18 6. \$20 of any original or renewal fee for a commercial
19 driver's license or commercial driver instruction permit
20 shall be paid into the Motor Carrier Safety Inspection
21 Fund.

22 7. The following amounts shall be paid into the General
23 Revenue Fund:

24 (A) \$190 of the \$250 reinstatement fee for a
25 summary suspension under Section 11-501.1;

26 (B) \$40 of the \$70 reinstatement fee for any other

1 suspension provided in subsection (b) of this Section;
2 and

3 (C) \$440 of the \$500 reinstatement fee for a first
4 offense revocation and \$310 of the \$500 reinstatement
5 fee for a second or subsequent revocation.

6 8. \$2 of the \$22 fee for an original driver's
7 instruction permit issued to persons under the age of 18
8 shall be paid into The Safe Student Driver Initiative Fund.

9 (Source: P.A. 93-32, eff. 1-1-04; 93-788, eff. 1-1-05; 94-1035,
10 eff. 7-1-07.)

11 Section 99. Effective date. This Act takes effect July 1,
12 2008.